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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,231	08/08/2001	Ruth E. Rosenholtz	110268	9878
27074	7590	01/12/2005	EXAMINER	
OLIFF & BERRIDGE, PLC. P.O. BOX 19928 ALEXANDRIA, VA 22320				TRAN, QUOC A
ART UNIT		PAPER NUMBER		
		2176		

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/682,231	ROSENHOLTZ ET AL.	
	Examiner	Art Unit	
	Quoc A. Tran	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 September 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/26/2004</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This action is responsive to Amendment A, filed 09/27/2004.
2. Claims 1-8 are currently pending in this application. Claim 1 and 6 are independent claims.

Claim Rejections - 35 USC § 101

3. Applicant Amendment overcomes the 101 rejection. Therefore the 101 rejection has been withdrawn.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2 and 3, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Evidence that Claim 1 recites the limitation "...being more similar" in page 2. Claim 3 recites the limitation "...substantially identical" in page 2, which are failing to particularly point out and distinctly claim the subject matter. Clarification and/or correction are required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the

subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angiulo et al, US 20020135621A1- filed 03/20/2001 (hereinafter '621), in view of Orbannes et al. US006751620B2 - filed 02/14/2001 (hereinafter '620).

In regard to independent claim 1, " displaying the thumbnail corresponding to an original document and including an enhancement in appearance, receiving a request to display the original document", as taught by '621 at page 2, paragraph [0018] (i.e... FIG. 2 is a schematic diagram showing an exemplary group of original images and thumbnail-sized reproductions of each original image....).

'621 does not teach, "displaying a first version of the original document, at least a portion of the first version being more similar in appearance to a corresponding portion of the thumbnail than a corresponding portion of the original document", however as taught by '620 at col. 20, line 60 through col. 21, line 10 (i.e.... FIG. 10B illustrates the use of a wormhole 906 within the graphic appearance 908. In the graphic appearance 908, there are two data objects identified, the document 910 and a reduced version 912a of a document 912...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '620 into '621 to provide a way, wherein displaying a first version of the original document, at least a portion of the first version being more similar in appearance to a corresponding portion of the thumbnail than a

Art Unit: 2176

corresponding portion of the original document. One of the ordinary skills in the art would have been motivated to perform such a modification to provide efficient use (higher velocity, more detail) of display area and avoids wasting time rendering unnecessary details for fast-moving data objects that appear to pass by the user quickly, as taught by '620 at col. 17, line 50 through col. 18, line 6 (i.e... efficient use of display area and avoids wasting time rendering unnecessary details for fast-moving data objects that appear to pass by the user quickly).

In regard to dependent claim 2, "displaying a second version of the original document in which a portion corresponding to the at least a portion of the first version is more similar to the corresponding portion of the original document", as taught by '620 at col. 38, lines 35-55 (i.e... defines hierarchical relationships between said plurality of data objects, and a super template, wherein said super template relates to a second spatial paradigm, and defines further hierarchical relationships between said data objects, to generate an appearance of a subset of said data objects associated with both of at least one of said first spatial paradigms and said second spatial paradigm in a virtual space from an adjustable viewing perspective of a user, to enable said user to navigate said data objects in a substantially unrestricted fashion, to store said data objects associated with said plurality of first spatial paradigms in a storage module according to said hierarchical relationships defined by said plurality of templates ...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '620 into '621 to provide a way, wherein displaying a second version of the original document in which a portion corresponding

to the at least a portion of the first version is more similar to the corresponding portion of the original document. One of the ordinary skills in the art would have been motivated to perform such a modification to provide efficient use (higher velocity, more detail) of display area and avoids wasting time rendering unnecessary details for fast-moving data objects that appear to pass by the user quickly, as taught by '620 at col. 17, line 50 through col. 18, line 6 (i.e... efficient use of display area and avoids wasting time rendering unnecessary details for fast-moving data objects that appear to pass by the user quickly).

In regard to dependent claim 3, "The method according to claim 2, wherein the second version is substantially identical to the original document.", as taught by '620 at col. 13, lines 25-67 (i.e... grouping the data objects into greater categories. Such groupings are also evident in the hierarchical node structures of FIGS. 4A-4C. In the present illustrative example, the system 100 further groups the "coffee and tea" 504a, the "sodas and beverages" 504b and the "ingredients" 504c groups under the "shopping" category 506a.... and the "recipes" grouping 506c under the "food" grouping sheet 508a of the home graphic appearance 508. ... By relating a template to a physical paradigm, the system 100 enables the user to view and navigate through data from broad concepts, such as food (shown at 508a) to details, such as ground coffee beans (shown at 502d) and through everything in between....).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '620 into '621 to provide a way, wherein the second version is substantially identical to the original document. One of the ordinary

skills in the art would have been motivated to perform such a modification to provide efficient use (higher velocity, more detail) of display area and avoids wasting time rendering unnecessary details for fast-moving data objects that appear to pass by the user quickly, as taught by '620 at col. 17, line 50 through col. 18, line 6 (i.e... efficient use of display area and avoids wasting time rendering unnecessary details for fast-moving data objects that appear to pass by the user quickly).

In regard to dependent claim 4, "*wherein the corresponding portion of the thumbnail comprises an element modified during generation of the thumbnail*", as taught by '621 at page 2, paragraph [0018] (i.e... FIG. 2 is a schematic diagram showing.... thumbnail-sized reproductions of each original image ...).

In regard to dependent claim 5, is directed to a storage medium for performing the method of claim 1, and is similarly rejected along the same rationale.

In regard to independent claim 6, is directed to an apparatus for performing the method of claim 1, and is similarly rejected along the same rationale.

In regard to dependent claim 7, is directed to an apparatus for performing the method of claim 2, and is similarly rejected along the same rationale.

In regard to dependent claim 8, is directed to an apparatus for performing the method of claim 3, and is similarly rejected along the same rationale.

Response to Argument

6. Examiner has completed a through study of Applicant's Amendments of 09/27/2004; especially, Applicant's amendments to claims 1-8 and remarks at pages 4-6.
7. As for amended claims 1-8 have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SANJIV SHAH
PRIMARY EXAMINER

Quoc A. Tran
Patent Examiner
Technology Center 2176
January 10, 2005